

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

)
UNITED STATES OF AMERICA,)
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Plaintiff,)
)
)
v.) Case No. 4:12CV01395 AGF
)
GERALD PETERS, et al.,)
)
)
Defendants.)

MEMORANDUM AND ORDER

The United States of America (“the Government”) brings this action against Defendants Gerald Peters and Darlene Peters, to recover delinquent income tax and penalties and to enforce its tax liens against real property owned by the Defendants.¹

Now before the Court is the motion of Mr. Harry Charles, counsel for Defendant Gerald Peters, to withdraw from his representation of Mr. Peters herein. Following a hearing attended² by Mr. Peters, his counsel, and counsel for the Government, a portion of which was conducted as an *ex parte* proceeding between Mr. Peters, his counsel, and the Court.

IT IS HEREBY ORDERED that the motion of Mr. Harry Charles, counsel for

¹ The Government also named J.P. Morgan Chase Bank and St. Louis County, both of which hold liens on the property, as Defendants (the “Lienholder Defendants”).

² The Lienholder Defendants were not required to attend the hearing because the Government, the Defendants and the Lienholder Defendants have stipulated to the priority of the several liens on the subject property and have agreed that the Lienholder Defendants are excused from further participation in this matter pending further order of this Court. See Doc. No. 81.

Defendant Gerald Peters, to withdraw from this action is **GRANTED**, for the reasons set forth in the motion. (Doc. No. 76.)

IT IS FURTHER ORDERED that Mr. Peters is granted ten days, through **Thursday, May 22, 2014**, to obtain substitute counsel.

IT IS FURTHER ORDERED that Mr. Peters, proceeding *pro se*, is granted seven (7) days, through **Monday, May 19, 2014**, to file a brief concerning certain allegedly new information he wished to present to the Court. Specifically, Mr. Peters shall explain why the information should be considered new information, why he was unable to present it to the Court before this time, and why the Court should grant him relief with respect to the presentation of this information, including but not limited to permission to reopen discovery and/or the briefing period for the Government's pending motion for summary judgment.

IT IS FURTHER ORDERED that the Government is granted seven (7) days, through **Tuesday, May 27, 2014**, to respond to Mr. Peters' filing.

IT IS FURTHER ORDERED that the deadlines for the filing of pretrial materials in this matter, presently scheduled for May 20 and May 27, 2014, shall be stayed pending further order of the Court.


AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 12th day of May, 2014.